THE Nº. 158.

MARYLAND GAZETTE,

Containing the freſheſt Advices, Foreign and Domeſtic.

WEDNESDAY, *May* 4, 1748.

Mr. GREEN,

WHEN *Auguſtus Ceſar* was informed that, during his Abſence from *Rome*, the publick Offices were ſold, and thence Corruption likely to creep into the Magiſtracy, he reſolved neither to puniſh any by vulgar Reports, nor to ſpare ſuch as were manifeſtly found guilty. A Rule extremely juſt and worthy of the wiſe *Auguſtus*; and ſuch, no doubt, as will be duly obſerved by our Legiſlature with Regard to the Magiſtrates of *Prince George's* County; whoſe Conduct will meet with Cenſure or Approbation, agreable to the Merits of their Cauſe, and not according to the weak or prejudicate Opinions of others, who thro' Ignorance cannot, or thro' Intereſt will not, form a juſt Judgment of their Actions.

IT is undoubtedly of the laſt Conſequence to the Well-being of any Society, that the executive Powers be firmly ſupported in their Adminiſtration: But how can this be done, if thoſe who have the Expoſition and Execution of the Laws muſt ever lie at the Mercy of Individuals, and be eternally expoſed to the Raillery, Inſults and Reflections of every one who is inclined to differ in Opinion with them? Or how ſoon, by theſe Means, would that uſeful and honourable Station be rendered wholly uſeleſs and contemptible? And what muſt be the fatal Conſequences, but in the firſt place, a partial Adminiſtration of Juſtice, and at length univerſal Confuſion? That Government ought always to be in Subjection to the legal Conſtitution, is what no Man, who underſtands the Conſtitution, will deny. But that Magiſtrates, who have the Diſtribution of Juſtice, and Execution of the Laws, aſſented to by the Community, or, which is the ſame Thing, the Powers by them conſtituted, ought not to be upheld and protected from the Inſults and Reproaches of private Perſons, is what no Man, who is not an Enemy to the Conſtitution, will affirm.

PARLIAMENTS cannot always be ſitting, nor is it neceſſary, or conſiſtent with the Safety of the People, that they ſhould. As one of the greateſt Sticklers for Liberty, as well as one of the moſt conſummate Judges that his own or any other Age ever produced, has incontrovertably ſhewn in his Treatiſe on Government. There ſtanding Parliaments are demonſtrated to be more dangerous than ſtanding Armies. And from thence our Author proceeds to ſhew the Neceſſity of an executive Power, and the Plenitude of it, in the following Words, "But becauſe the Laws that are at once, and in a ſhort Time "made, have a conſtant and laſting Force, and need a perpe-"tual Execution, or an Attendance thereunto; therefore it is "neceſſary there ſhould be a Power always in Being which "ſhould ſee to the Execution of the Laws that are made and "remain in Force. And thus the legiſlative and executive "Power come often to be ſeparated." Here we find, by this great Authority, which has never yet been diſputed, nor from the Nature of Things in this Caſe ever can, that in the Receſs of Parliaments the whole Power legiſlative, excepting that alone of making Laws, is devolved on the Power executive; from whence evidently appears the Neceſſity of ſupporting the laſt in the higheſt Honour and Dignity, the better to enable it to go thro' the Exerciſe and Performance of it's ſeveral Duties and Functions. Of this the *Engliſh* Nation have ever been extremely ſenſible and tenacious. Four hundred Years ago we find the Heir apparent to the Crown committed to the Fleet by a Magiſtrate, for inſulting him in the Execution of his Office. We find too this noble Reſolution of the Judge applauded by the Nation, approved of by the King, and rewarded by the Offender himſelf, after he became the great *Henry* the Vth. And the late Caſe of Judge *Willes* is a convincing Argument how dangerous it is at this Day to inſult or reflect on a Magiſtrate in *England*. A Court-Martial there, conſiſting of great Men, much greater Men than the Freeholders of *Prince George's* County, ſuch too as perhaps were not more ignorant of the Conſtitution, were, for only ſaying that a Judge of the Common Pleas had exceeded his Juriſdiction, reduced to the mortifying Neceſſity of ſigning a formal Recantation, and aſking Pardon in the moſt abject and ſubmiſſive Terms. Upon receiving of which Submiſſion and Recantation, we are told, the Chief Juſtice delivered himſelf to the following Effect. "I deſire, with the Concur-"rence of my Brothers, that it may be regiſtred in the Re-"membrance-Office, as a Memorial to the preſent and future "Ages, that whoever ſet themſelves above the Law, will in "the End find themſelves miſtaken; for we may with Propriety ſay of the Law as of Truth, *Magna eſt Veritas et prevalebit*." The legiſlative Powers of this Province ſeem to have been no leſs ſenſible of the Neceſſity of keeping up the Power and Dignity of Magiſtrates, as may be ſeen Page 199 and 207 of the Body of Laws, where Courts, and Magiſtrates out of Court, are not only impowered, but alſo poſitively enjoin'd, ſtrictly to obſerve, and by Fine or Impriſonment, puniſh thoſe who behave with the leaſt Indecency before them. Thus we find in what high Eſtimation the Station and Office of a Judge has ever been held in this and our Mother Country. Which may ſerve for an Anſwer to a late half-witted Author, who ſeems to have been kept by the Freeholder as a Body of Reſerve, in caſe he ſhould find himſelf too cloſely attacked. This Author, in order to prove that the Perſons of Judges are not regarded in *England*, inſtances the Caſe of *Treſilian*, *Brember*, and others, Miniſters and Favourites of *Richard* the IId, who were put to Death, not for giving their Opinions on a Point of Law, but for adviſing the King he was above all Law; Which is Treaſon in any other Perſon as well as a Judge. This ſuperficial Writer may, by theſe Laws, find how conſiderable County Courts have appeared in the Eyes of the Legiſlature, as well as thoſe of the *Nation*. He may by peruſal alſo be convinced, that the Neceſſity of them ariſes from the Conduct of Foreigners. And if he will give himſelf time to reflect on the late Deportment of one of his own Party in a County Court, he may be ſatisfied of the Neceſſity of continuing ſuch Laws in Force. Upon Enquiry too, he may perhaps learn, that the Offender has, in the Courſe of this Diſpute, prided himſelf on that his inſolent Behaviour; made a Merit of it to the People, as one of the Eſſentials of *Britiſh* Liberty; and thereby encouraged others to fly in the Face of Government. To take farther Notice of this Author, would be making him too conſiderable; for which Reaſon I ſhall drop him into his original Obſcurity, and reſume the Subject-Matter of this Paper.

The Freeholder's Performances begin I think in No. 143 of the *Maryland Gazette*. The laſt Paragraph, containing nothing but an uncommon Strain of Egotiſm, and promiſes of ſhewing what it has not been, nor ever will be, in his Power to ſhew, ſhall be paſſed over in Silence. In the ſecond, we are told by this unprejudiced and well-bred Author, *he doubts not but he ſhall be cenſured for making thus bold with Magiſtrates*. From whence, I would be glad to know, could this Certainty of Cenſure proceed, but a Conviction that he either had or ſhould futurely deſerve it. *But*, ſays he, *as I have no quarrel to Names or Perſons, I can give the leſs Offence*. Would not every one from hence naturally have concluded, that our modeſt Author would have concealed the Names of thoſe againſt whom he intended to reaſon without Reſerve, and whoſe Actions he deſigned with the utmoſt Freedom to canvas. Or, did not common Decency require thus much, even to an Enemy, in a Matter wherein it then could not, nor yet can, certainly be known, whether the Accuſation be juſt or groundleſs? Yet we find, that to put beyond all Doubt who were the Perſons intended to be libelled and aſperſed without Meaſure, a Certificate of their Names, under the Hand and Seal of a Sworn Officer, has been induſtriouſly

industriously dispersed throughout the Province. A notable Instance of a well bred Gentleman! *In a Word, such a Proceeding will be a lasting Monument of his Fame, and an unanswerable Instance how necessary a good Education is to make a wise Man, at least a Man fit for* a polite and candid Writer.

The thinking Part of Mankind will allow, that tho' Magistracy be a great and honourable Trust, yet it is a Trust which ought to be bounded with many and strong Restraints. Whether Chains or Ropes I presume our Author forgot to mention. Magistrates, in my humble Opinion, are already bounded and tied down by the same Laws which govern the rest of Society. What Occasion then of additional Restraints? Or, if their Trust and Power be aimed at, and that must be retrench'd or taken away, what then becomes of the great and honourable Trust? *And every Violation of it, the smallest Violation of it, ought to meet with a proportionable Punishment; because Indulgence to the least Faults of Magistrates may be Cruelty to a whole People.* What, no quarter for poor Magistrates? No Allowance for human Frailties? What an obdurate, rigid and hard-hearted Patriot is here! And how well does he ape or rather surpass his Grandsire *Cato!* Surely our Author, by a fatal Mistake, took Magistrates for Popes. How else could it have entered into his Noddle, that a Man, by being dubb'd a Justice, was from thence forward invested with a Spirit of Infallibility, as he certainly must, before he can in Justice be accountable for an Error in Judgment, or Failings and Weaknesses which are incident to and inseparable from the Nature of Man.

IT is the Bulwark of a British *Constitution, that our Lives and Properties are secured by Laws made by ourselves, and executed by our Magistrates.* Here for once we shall agree with the *Freeholder*, that his Doctrine is sound and good. What a Pity is it then, that this judicious Author has unluckily knock'd it on the Head, in his second Essay on Liberty and the Constitution; where we find this memorable Expression; *If the Steps taken by one of the Parties be legal and valid, they strike at the Foundation of all Liberty.* Thus, by a wonderful Operation of our Laws, they secure our Lives and Properties at the same Time that they are destructive of our Liberties! What a profound Statesman is our *Freeholder*, and how unfathomable are the Depths of his double-refin'd Politics! When, Oh! when shall it please Almighty God to enlighten this Infant Country, and enable the brightest of her Sons to make such wise Distinctions and subtle Remarks? But alas! we * *want the Advantage of a better Education*, and, in that, all Things.

† *Come Wisdom, come, disperse those Clouds of Night;*
And o'er the Province spread thy glorious Light:
Let Colleges arise at thy Command,
And send thy wise Instructors through the Land.

THEN indeed shall the Natives of *Maryland, enter the Lists, and take up the Gauntlets*, with the most learned B—kh—d that ever imbibed Grammatical Nonsense in a Hutt, or received an awkward Education at a Charity-School. *Wherever these Laws are wilfully or ignorantly misconstrued, to serve certain Purposes or bye Ends, and not the Good of the People in general, our Constitution affords a Remedy, a tried and practicable Remedy.* That Laws may be wilfully or ignorantly misconstrued will not be denied: But that they can be misconstrued ignorantly to serve bye Ends, is what I must desire at present to be excused from allowing; because, with Submission to the learned *Philo* and his Cousin *Americano*, a little native Sense tells me, that no Man can designedly do a Thing, and yet be ignorant of it.

AND while I only contend that no Steps ought to be taken by any Set of Men whatever, to destroy, or even frustrate that valuable Branch of Liberty left in the People, a Liberty to lay their Wants and Complaints by Petition before the Legislature; I doubt not but the Prayers and good Wishes of every honest Man will attend me. Worthy Patriot! Good and pious Man! How does his Breast glow, his Pulse throb, and his Heart beat, with the Love of his Country! To me it is Matter of Wonder, that in this difficult and arduous Task, he had not invoked the Assistance of all the immortal Gods, as well as the Prayers of every honest Man. But before Assistance either human or divine is necessary, it is incumbent upon this poor oppressed and groaning Patriot, to shew that the Magistrates have taken any Steps to deprive him of this valuable Branch of Liberty; or that they have ever denied the Rights of the People, in an humble Manner to lay their Aggrievances, or what they esteemed such, before the Legislature; a Thing, not only in itself highly reasonable, but moreover agreeable to *Magna Charta*, and the Petition of Right. How very different has been the Conduct of those Gentlemen on that Occasion? Conscious of the Uprightness of their Intentions, whatever Light they might appear in to others, they were ever ready and willing to submit their Actions to the Judgment of those to whom alone they are accountable; beholding at the same Time, with a just Disdain, the little Arts and Scandalous Devices of their Enemies, to render them contemptible in the Eyes of the World, and expose them to the Hatred and Insults of the People; In which laudable Design, however well they may have succeeded, their grand Project of preventing the Designs of the Justices from being carried into Execution, has nevertheless miscarried. They who had accepted of a Trust, and were satisfied of the Rectitude of their Measures, and the Measures of those by whom they were intrusted, were not to be intimidated by Clamours or Numbers, but remained immutably fix'd in their first Resolutions, agreeable to the Intrepidity of just and good Men, so nobly set forth by *Horace* in the following Lines:

The Man resolv'd, and steady to his Trust,
Inflexible to Ill, and obstinately just,
May the rude Rabble's Insolence despise,
Their senseless Clamours, and tumultuous Cries.

HENCE it came to pass, that a memorable Remonstrance, containing in Substance nothing, in Nonsense much, handed in on an ever-memorable Day, by an ever-busy Gentleman of another County at the Head, at the Instance, and in the Name, of half a Dozen interested Leaders, and twenty-six misguided Freeholders of *Prince George's*, had not it's designed Effect. But since our Constitution, by our Author's own Confession, affords a Remedy for every Evil, why all this Fuss, this Clamour and Noise, about a single Instance of male Administration in a County Court, supposing for Argument Sake this to be one? Or is it reasonable or just, that violent Convulsions should exist every false Step or Error in Judgment of a Court of Judicature; and the People be set together by the Ears, or in our Author's own Words, *a whole County set in an Uproar:* And that too before those, by whom alone the Matter is cognizable, have determined the Justice of the Complaint; or does not such an uncommon Mode of Proceeding betray the Badness of a Cause?

HAVING thus concluded my Remarks on the *Freeholder's* first Letter, it seems absolutely necessary, before I proceed to a Consideration of the second, to premise, that a very wide and material Distinction is to be made between what is Law, and what ought not to be Law, for this plain and obvious Reason: If Magistrates act wilfully or corruptly, without or against Law, they are accountable and punishable for it; but if they act under a Law, be it never so pernicious in it's Consequences, let it even be destructive of Life, Liberty, Property, and all that is dear and valuable to Society; yet, as they had no Share in the making of it, they therefore cannot be answerable for it's Consequences, although obliged in their Administration to govern by it. The Necessity of this Distinction will further appear to every one who considers the Drift of the *Freeholder's* Arguments, and how much the principal Matter, to which he should have confined himself, has all along been departed from. It ought to be remember'd, that what originally gave Rise to this Dispute, was a Charge of male Administration, exhibited against a County Court, and founded on a Presumption that the Proceedings of it's Members were either against, or without, Law. This then is the essential Point which the *Freeholder* should first have endeavoured to prove, and which was incumbent on him to prove: But that, we find, has been artfully laid aside, and a faint Attempt made towards demonstrating such a Law (which, by the Bye, is a Confession of the Law, and consequently a Giving up of at least half the Argument), to be inconsistent with a *British* Constitution. From whence it may naturally and reasonably be inferr'd, that our Author himself was not insensible of the Badness of his Cause; for he must have supposed such a Law actually in Being, before any Conclusions could be drawn from it. But we shall cease to wonder at the Conduct of our Author, however extraordinary it may at first appear, when we consider his Motives, and the Advantages he expected

* *Americanus Britannus.* † *Philo-Musæus.*

expected to reap from it. If, as he and his Party fondly hoped, and modestly believed, the People of *Maryland* should turn out so insuperably ignorant and undiscerning, as not to be able to judge, that under a general Law, penn'd in plain *English* Words, wherein neither a Bridge nor Court-House is mentioned; If these stupid Wretches and Outcasts of Nature, I say, should not be able to discern, that in such a Case the Bridge and House are equally taken Notice of; or should they judiciously determine with the *Freeholder*, that the first is mentioned, and the last not; then our Author obtains his Ends, gets a Court-House to himself, shakes Hands with Liberty, drops the Argument, *makes a low Bow, and retires with all imaginable Sobriety, Decency, and Regard to the Laws and Government.* But if on the contrary, a Ray of Light should unluckily break in upon the clouded Brains of senseless and unwary Buckskins; if they should, contrary to all Expectation, *without the Advantage of a better Education*, be able to judge that Black is Black, and that White is not Black, and from thence in Time arrive to such a Pitch of Understanding as to distinguish, that where neither a Bridge or House is mentioned, they are equally taken Notice of; that the Words *necessary Charges* are as applicable to a Court-House as a Bridge; and that it is as necessary to repair the first as the last: Or, which is worse than all, if the Assembly too should at the same Time be seized with distinguishing Faculties, and concur in Opinion with the newly enlightened Natives; then Mr. *Freeholder*, as his last Resort, has Recourse to his Friend *Constitution*, whom he brings into the Field at the Head of a numerous Army of veteran Forces, consisting of *Fundamentals, Essentials, Basis's*, and *Compacts*: With these choice Troops he first attacks Common Sense, as an Enemy to his refined Politics; in which, if he comes off victorious, he has then a clear Stage, and nothing left to do, unless the *Parliament, or an Assembly in America, (for I presume no one will pretend to make any material Distinction,)* should offer to touch or meddle with any of *Constitution*'s Men; in which Case, an Opportunity is offer'd this Hero of signalising himself in another Campaign; the *Freeholder*, with the Assistance of *some of the greatest Statesmen that* England *ever knew*, having convinced him of the Lawfulness of such a defensive War.

THAT this is the Spirit and Substance of the *Freeholder*'s Doctrine, if any Substance or Spirit there be in it, *let every Man that hears him, every Man that will read him*, judge; and that he knows nothing of that Constitution about which he has made such a Pother, it is hoped, will in the Course of this Argument be shewn. But for the Sake of Order, and that nothing may be left unanswered, I shall first consider what is said by our Author, in his Complaint of the unlimited Power of Magistrates, from the Law under our Consideration. *I call it*, says he, *an unlimited Power, because the Interpretation given to that Clause of the Act of Assembly, from which they claim their Power, is without Limitation, and gives them the same Power to levy five hundred thousand or fifty millions, as one hundred thousand*: Yea, and our sagacious *Freeholder* might have added, *as one Ounce*. For this is actually the Meaning of the Law, and I presume was the Design of the Makers. Nor could it possibly be couched in other Words, so as to answer the Intention of it; because it then was, and to this Day is, altogether impossible certainly to judge what Sum or Quantity of Tobacco may be adequate to the necessary Charges and Exigencies of a County. How could a Legislative Power determine what Repairs of every Kind might be wanting; how many Bridges, and what Dimensions; how many Ferries, and on what Terms they ought to be kept; how many Pensioners, and what Charity according to their respective Circumstances they merited? Hence arose the Necessity of investing Courts with that plenary Power so much complained of, and which in my weak Opinion cannot be altered for the better, nor lodged in any other Set of Men, with equal Safety to the People. For, supposing Mankind in the General to be upon a Level with regard to Corruption, yet as every one, let him be ever so depraved in his Morals, would choose to appear virtuous in the Eyes of the World, from that Consideration alone the Actions of Men in an elevated Station will ever be found attended with greater Diffidence, Circumspection, and Caution, than such as are transacted in Holes and Corners, or in a Manner less exposed to public View. From whence it is evident, that this delegated Power of Taxing is more securely lodged in County Courts, than it would be in Vestries, or with Constables, as it is in some Cases in *England*; or with any Set of Men whatever.

The Remainder of the Native of Maryland *on this Act of Assembly, shewing the Safety of such a Power in County Courts, that the late Law is not unprecedented, but warranted by Custom ever since the Law; and that such a delegated Power is agreeable to the Constitution of* England; *shall be inserted, if possible, in our next.*

TURIN, December 23.

COlonel Rivarola, and Dr. Giulani, having obtained the succours they sollicited, are both set out for Corsica. These succours consist, for the present, of two English men of war, which are to carry them over to that island, and 300 troops, besides several armed vessels; but we are assured the court intends them a more powerful succour.

Parma, December 23. The last advices from the frontiers of the state of Genoa inform us, that the French and Genoese design to bring the greatest part of their forces into the Eastern Riviera, in order to assemble a considerable body of troops on that side, that they may be able to act early in the spring against the Luneggiana or the Parmesan. Their new works in that part of the country are finish'd, and furnish'd with all manner of necessaries; their garrisons grow stronger every day; and we are assured they have actually 48 battalions on the territory of the republic, of which above half are posted along the Eastern Riviera; and the rest are distributed in the fortifications round about the city of Genoa. These advices add, that they expect fresh reinforcements from Provence, and the county of Nice. As for our troops, they still remain quiet in their quarters, but are order'd to hold themselves in readiness to march on the first notice, to oppose the enemy's enterprizes.

Warsaw, December 27. Diverse couriers from Petersburg have passed through this city, who, after leaving some dispatches with the Russian commissary residing here, continued their journey to Vienna and Dresden: Those dispatches relate to the march of the auxiliary body of Russian troops taken into the pay of the maritime powers, who are to traverse part of Lithuania and Poland, and then proceed to the Rhine, through Moravia and Bohemia. We expect in a few days commissaries on both sides, in order to settle every thing relating to the pay of those troops; and we are assured orders are already issued for gathering up provisions along the route they are to take. According to the last advices from the front ers, the first column of this corps are to begin their march before the first of January, that they may reach the confines of Lithuania the 25th. The other two columns will be close at their heels.

Lisbon, January 3. Letters from Madrid say, that a great number of officers were arrived there from the army in Italy, which had begun to separate for winter quarters; and that dispositions were making to keep the infant Don Philip well supplied with men and money, to enable him to open the campaign early in the spring; but that notwithstanding the whole kingdom ardently wishes for peace.

Vienna, January 11. General Festitics is nominated to succeed general Trips in the Low Countries; and prince Charles is to command an army on the Moselle.

Hague, January 12. The Dutch troops actually prisoners of war in France amount to 46 regiments. But they are far from being compleat; and as the French court refuses to ransom them, they are put upon half pay; and their remains at home will be regimented, and put under other officers.

January 21. N. S. We here speak positively of a separate peace being in great forwardness between Great-Britain and Spain; tho' France endeavours all it can to prevent it.

Paris, January 25. The king will command his armies in person in the Low Countries this next campaign, which is to consist of 250,000 men.

Hague, January 30. The British, Imperial, and Sardinian ministers, have signed a reciprocal convention with the deputies of the States General, concerning the number of effective men each power is to furnish the next campaign; and the plan of military operations both in the Low Countries and in Italy.

February 1. The Imperial, British, and Sardinian ministers have received their passports from Paris, to repair to the congress at Aix la Chapelle.

Brussels, January 9. It is now said that the 15th is the day fixed for the assembling the troops, for the execution of the new expedition, which marshal Lowendahl is to command in person. It is said with any view to this, that those vast prepara-

tions

tions are making at Ghent and other places, but to another that is to follow it, of which the marshal count de Saxe is to have the direction; and most people think that the siege of Maestricht is intended, and some say, that he has promised the king to put that important fortress into his hands before the close of the month. Our last convoy to Bergen-op-zoom was very shamefully beaten; the escorte consisted of a thousand dragoons on foot, the body of Hussars that attacked them fell short of six hundred men, and the dispute happened almost under the cannon of the place; they carried off twenty prisoners, forty-two fat oxen, forty-two hogs, a hundred and forty-two sheep, destroyed a hundred waggons, and as much corn and pease as cost thirty thousand livres.

Ostend, Feb. 3. A Calais privateer has brought in here a Danish vessel from Waterford to Rotterdam, with 2656 tubs of butter, *&c.* on board; valued at 10,000 guineas.

LONDON.

December 31. Letters from Vienna bring word, that a Resolution has been taken of forming an army on the Moselle this year, with a design of dividing the power of France, and making a powerful diversion in favour of the Allies. Prince Charles of Lorrain is intended for commander in chief of these troops; and according to the latest advices from the empire, the corps will soon be compleated, as they afford great reason for believing, that the anterior circles will conform themselves to what his imperial majesty shall request, particularly as to the safety and protection of the Germanic body.

January 12. It is said that the admirals Warren, Hawke, Chambers, and Osborne, will shortly put to sea with strong squadrons of ships of war, to protect our trade, and annoy the enemy.

Extract of a Letter from Francfort, January 1.

" The French buy up all the provisions they possibly can, to put in their magazines, upon account that the circles have associated themselves; which unexpected proceeding they did not expect. When all the deputies of the Protestant Swiss cantons were solemnly assembled, the Dutch proposal of taking 24000 men into their pay, was made and agreed to, on a division of 113 votes for it, and only 90 against it; and those troops were order'd to march in a short time. "

It is said, that the earl of Chesterfield will speedily make a tour to the court of Berlin, on affairs of the greatest importance.

Extract of a Letter from the Hague, Jan. 3.

" However gloomy the prospect may seem, the most discerning politicians are clear in their opinion, that a peace will prove more destructive to the republick than the continuance of the war: For if the war goes on, we have this chance, that we shall wrest from the enemy what he has conquered these three years past; or else we shall be totally undone, by his receiving an accession of strength in consequence of the new alliance we and Great Britain have purchas'd in the north. Now, it is more eligible, in the opinion of every true patriot, every man of common sense, to put all the hazard at once, and sink under the ruins of our country, than to submit to such terms of peace as may be obtain'd in our present circumstances.

ANNAPOLIS.

The General Assembly of this Province is to meet here on Tuesday next.

Mr. Green,

THere was a small Mistake in my last, which I beg you would take the first Opportunity to rectify, by publishing this. The Motto was cited from Thucydides, *instead of* Cicero: *I trusted to Memory in the Thing, and imagined the* Roman *had translated the Saying from the* Grecian; *but find I was mistaken.*

I am, *&c.* A FREEHOLDER.

Mr. Green,

I Really would not have troubled you with any Answer to the Letter in No. 153 *of your Gazette, sign'd* Philo-Kalus, *had I not been afraid that some People would have thought I had writ it myself; that* Writer *having (I believe undesignedly) paid me a very high Compliment, by alledging that Verses, entirely my own, are stolen from Mr.* Pope. *I take this Opportunity, therefore, to let you know, that a certain Reverend Gentleman, noted for his* Gravity, *as I am well inform'd, in a public Company, threatned to expose the Verses, much in the same Manner as it pursued in the aforesaid* elegant *Epistle.*

Seeing then his Reverence *has endeavoured to point me out (with much good Manners) as a* Plagiary, *he cannot take it amiss to be pointed out himself as an* Original—Author: *For this Purpose, I could not forbear sending you a few* Staves *upon the Subject; which, for aught I know, may be sung to the Tune of the hundred and nineteenth Psalm. The* Poetical Epistle, *I am told, was read to a Congregation after Divine Service, and condemn'd by the* Parson *for the Sake of an ill placed Compliment, which he* conscientiously *judged to be* ironical: *Now should the following Verses be likewise thought a proper Entertainment after Devotion, I submit the Music proper for them to the Clerk; and I hope* Stentor *will not spare his* Lungs *upon the Occasion: As* Hudibras *says,*

They may be either said or sung.

I knew very well that the Satyr would alarm all the Dunces in the Province; and if fame one or other of them had not born their Resentment, I should have thought it had not touch'd them so nearly as was intended. But I would not have them imagine that I design to answer any more of them, otherwise than by a contemptuous Silence.

I am, *&c.* PHILO-MUSARUM.

An EPIGRAM,

Occasioned by the Letter signed Philo-Kalus.

THE Parson says, my Verse I stole;
He did not steal his Letter;
'Tis *an Original*, the whole,
And much (for Sport) the better.

How would it swell my vainest Hope,
That thus my Verse seem'd *theirs!*
But ah! they look no more like *Pope*,
Than his that Prose like *Swift*.

Swift, said you?—hold,—whom do you mean?
Attend, and see my Drift:
It favours not the witty *Dean*,
Tho' like dull *P—rs—s S——*.

ADVERTISEMENTS.

Baltimore-Town, April 30, 1748.

THE Subscriber having received Orders to purchase a Quantity of Tobacco, for Paper Money or Bills of Exchange; any Person that has good Yellow or Bright Tobacco, or clean Leaf, to dispose of, may meet Encouragement: The Tobacco to be ready for Shipping by the Middle of *June*, and of the following Weights; *viz.* Colours, to be from eight hundred and fifty, to nine hundred, nett; clear of the Cask; and Leaf, from nine hundred and fifty, to a thousand, clear of the Cask. DARBY LUX.

RAN away on the 14th of *April*, from the Ship *St. Georg*, *James Dobbins* Commander, lying in the North-West Branch of *Patapsco* River, the three following Sailors; *viz.*

Richard Jolly, a tall thin Man, pitted with the Small-Pox.
Richard Kent, a tall likely young Fellow.
Giles Walmer, a fat lusty Fellow.

They carried with them from the same Ship a Convict Servant, named *William Williams*, alias *Broughton*, a full-faced Man, in a Sailor's Dress. It is supposed they stole a Longboat from Capt. *Hamilton* of the *Peggy*, 23 Feet Keel, 8 Feet Beam, with two Masts, two new Sails, and a Jibb; she had a new Grapnel, and a half worn Cable laid Rope to it; her outside and inside upper Works black, from being newly tarr'd. It is thought they intend up the Bay for *Philadelphia*.

Whoever secures them in any Prison, so as they may be had again, shall have Four Pistoles Reward for each, and Four Pistoles for returning the Boat to the Ship, paid either by Mr. *Alexander Lawson* at the *Nottingham* Ironworks, Mr. *Robert Swan* at *Annapolis*, Dr. *David Ross* at *Bladensburg*. or

JAMES DOBBINS.

For the rest of the News and Advertisements, see the Supplement.

SUPPLEMENT to the *Maryland Gazette*, No. 158.

LONDON, Dec. 2. 1748.

YEsterday came advice that the Reine, of 20 guns, belonging to Bayonne, is taken and brought into Plymouth. She was taken by the Hampshire, capt. Daniel, who some time since took the Castor, a French man of war.

By the master of a fruit-ship which arrived here this week, we are assured, that before he left Lisbon, the Ambuscade privateer had brought into that port three Martinico ships, which escaped from admiral Hawke.

We hear that some of the most valuable effects belonging to the Nymphe, lately lost off Beachy Head, have been taken up, and that if the weather proves favourable, a great deal more will be saved.

December 3. The Duke of Cumberland privateer, capt. Haldin, has taken a Dutch ship valued at 200,000 *l.* sterling. Her loading is the effects which M. Bourdenaye had taken at Madrass.

Last night a messenger arrived from lord Hyndford in Russia, who, among other dispatches of importance, brought word, that the Russian troops were on their march for Germany; and we are assured, that the messenger who brought this news, saw some of the detachments of these troops on their march, as he was coming express from petersburg. The troops were on the borders of Courland, which are contiguous to Poland, so that the news of their being entered into that kingdom is expected by the next messenger.

We hear that the right honourable the lord Tyrawley will go to Turin, to take the command under the king of Sardinia in the room of general Wentworth deceased.

This morning came advice from Plymouth, that the squadron under commodore Moyston, have taken and sent in there, the 28th instant, the Jean Baptista, a Spanish privateer of 22 guns and 270 men, belonging to St. Sebastian's; and the Thetys privateer of 18 guns, and 160 men, belonging to Bayonne.

December 12. We hear from Manchester, that at a late christening there, the persons present and the child were all dress'd in plaid; and that several emblematical figures were on the dishes which made up the supper, expressive of the company's principles of disloyalty.

It is certain that advice has been received at court, of a ship being arrived in one of the ports of Scotland, with some of the chiefs of the rebels (who made their escape after the battle of Culloden) on board, and also a large quantity of arms. Such is the implacable malice of the common disturber of Europe; and such the unnatural behaviour of some infatuated men to the mildest of kings.

December 14. A bill is ordered into parliament, to prohibit insurances on ships belonging to France, and on merchandizes or effects loaded thereon, during the present war with France.

We hear that 22,000 Hanoverians will be taken into the Pay of Great Britain for the Year 1748.

We have advice from the Mediterranean, that a fire which broke out at the king's store-house at Port-Mahon, being a large fabrick of 130 foot in length, had entirely consumed it, with the stores, &c. for several men of war, which accident has prevented their putting to sea for a few days.

Extract of a Letter from Cork.

The ship Success, capt. Walker, of 16 guns and 35 men, bound from Philadelphia to Cork, with staves, is lost at Ballyhege in the county of Kerry. It is said all the crew were drowned, except nine, who saved themselves in the yawl.

Extract of a Letter from Harwich.

We have many wrecks on the coast hereabouts, which we take to be chiefly coasting vessels. Last night we saw a large ship on fire at sea, about five league off this place. She is still burning, and a fishing boat has been this morning near her, but dare not venture close to her. It is feared the whole crew have perished.

December 15. They write from the Hague, that on the 12th instant, N. S. they had great thunder and lightning, which was succeeded by a storm, such a one as has not been known there in the memory of man. It began at 9 o'clock, and continued encreasing every moment 'til 7 at night, after which it diminished gradually. The Damage done by it is very considerable, it having blown down chimnies, ripped off the roofs of houses, torn up trees, &c. They add, that the thoughts of the sad accounts from the sea-side, chiefly from Zealand, makes every one tremble. In short, all the foreign accounts speak of this storm in most melancholly terms.

The Dutch are labouring hard to fit out a great fleet in the spring, and, it is said, will be able to put to sea 26 ships of the line, besides frigates, by the first of March, in order to undertake, in conjunction with a British squadron, an expedition of great importance, the effects of which may, in some measure, balance the losses they may have sustain'd by Land, or at least restore and support their credit as a maritime power, as well as to take from their ambitious neighbour, all the vain hopes she has entertained of reviving her naval force, and of adding that character to the rest of her high pretensions.

The following French Men of War of the Line and Frigates have been taken since the first day of May 1747, viz.

Ships Names,	*Guns*,	*Men*,
Invincible, — —	74 — —	700
Terrible, — —	74 — —	686
Monarque, — —	74 — —	686
Neptune, — —	74 — —	686
Trident, — —	64 — —	650
Fougueux, — —	64 — —	650
Serieux, — — —	66 — —	556
Severne, — —	50 — —	550
Diamant, — —	56 — —	450
Jason, — — —	52 — —	355
Ruby, — — —	52 — —	328
Glorieux, — —	45 — —	330
Renomme, — —	32 — —	300
Castor, — — —	30 — —	300
Magnanime, — —	74 — —	686
	880	7913

The LAMENTATIONS *of* LEWIS *the Beloved of his People, for the Loss of his Ships.*

[*All those mark'd thus* * *were either taken or destroy'd before.*]

MARS, * O God of War, why hast thou turned thy Back upon us, and why fightest thou for our Enemies!

How is my *Glory* fallen! my *Diamonds* and *Rubies* are no more!

Instead of being *August*, * how am I crest-fallen!

Where is my [illegible]?

Thou, *Panther*, * has been worried by the *British* Mastiffs!

Thou, O *Ambuscade*, * hast been taken in a Snare!

The *Serieux* is now serious enough, but 'tis otherwise ‡ with my Enemies.

The *Subtile* * is subtile in vain!

And the *Vigilant* * shall be watchful against me!

What can I do without thee, O *Mercury*, * my Sore runneth and is incurable!

O *Jason!* *Britain* has thy Golden Fleece!

L'Etoile * my *Morning Star*, is vanished in a Blaze! [burnt]

Medea * the *Sorceress* has forsaken me, the *Solebay* * is returned to her own Home, for which my Heart mourns in secret, and *L'Ardent* * fires me with Rage.

The SECOND PART.

In a Complaint *to Monsieur* MAUREPAS.

O My Renown! [*Le Renomme*] *Maurepas* is fled, and Fear is come upon me.

O *Terrible!* my Governor *Conflans* is in the Hands of mine Enemies.

The *Severn* is returned to its ancient Course,

Neptune is gone over to the Heretics!

George has Possession of the *Trident*, and commands the Ocean!

The Rascals pay no more Respect to the † *Fierce* grand *Monarque*, than they did to the Boy *Charles*, whom they sent packing out of *Scotland*.

‖ *Le Castor* has a malevolent Influence upon my maritime Affairs, and *I am stung to the Heart by the* Hornet ‡‡.

My ‡ *Magnanimity* is departed from me, and I shall boast thereof no more for ever.

‡ *The Name is changed by the Lords of the Admiralty.*

† Le Fougueux. ‖ *The Name of a Star.* ‡‡ *Retaken.*

‡ *Le Magnanime*, just taken.

Extract of a Letter from Dunkirk, December 29.

"Since the king has given us leave to take the Dutch ships, we are night and day equipping out privateers; and a great number are already put to sea, as well from this as the other ports. For the future we expect no other ships but those belonging to Prussia, Sweden, and Denmark; for we are certain that we have concluded with one power such a treaty, that her ships shall fetch and carry goods from any kingdom it shall be thought needful.

The miseries in this kingdom (France) are greater than they have been for a century past, on account of the scarcity of provisions, &c."

From the LONDON MAGAZINE *for November last.*

To the RESTORERS *of our* NAVAL *Honour.*

HAWKE, WARREN, ANSON, heroes of the main!
'Tis yours to breathe false *Gallia*'s tumid vein;
To cool that rage, with *English* ball and fire,
Which would to gen'ral monarchy aspire;
To bind ambition with a legal chain,
And fix *Britannia*'s empire on the main:
Proceed! the muse prophetick dares insure,
You have the pills that *Bourbon*'s pride will cure;
Your powders reach the latent seeds of strife,
And break the bandage of a tyrant's life:
His purblind sight your lightning will restore;
His deafness leave him when your thunders roar.
Oh! do not rest half-glorious; seek the seas;
You have but stunn'd, not heal'd the *French* disease:
More ample victory on your squadrons wait;
Then spread your canvass, hasten *Gallia*'s fate,
And make your nation, like your courage, great!
So shall our sons, in future ages born,
Kindle at your deeds; and the *French* navy scorn.
Ye honest tars! when you engage remember
Who, with the devil, brought o'er the Pretender;
Revenge that insult on the briny wave,
Copy your Prince! be vigilant and brave!
To die's more glorious than to live a slave.

To the brave Sir EDWARD HAWKE, *Knight of the Bath, on his late glorious Victory at Sea.*

O HAWKE! distinguish'd by a just applause;
Thou second *Neptune* in thy country's cause!
In vain *France* sends her squadrons to enslave,
While you *look out* to conquer and to save:
In vain she boasts her rapine on the plain,
While, at her coast, *Britannia* rules the main.
Still do I hear thy thund'ring cannons roar!
Still see the ocean dy'd with *Gallic* gore!
And dare, to thy immortal honour, tell
Not cowards, by thy hand, but heroes fell.
If to our foes we give the lustre due,
Then think, brave *Hawke*, what glory waits on you!
O may each year thy honour'd laurels grow!
Fresh favours may the royal hand bestow!
Tho' lion-like thou drub'st the stubborn foe,
Thy soul rejoices not at human woe:
Glad would you be, for troubled *Europe*'s ease,
To sheath the sword, and see the world at peace.

TOBACCO, either Cut and Dry'd, or Pig-tail; the Cut and Dry'd at 1*s.* per Pound, and the Pig-tail at 2*s.* per Pound: Likewise SNUFF, very little (if any thing) inferior to the best *Scotch* Snuff at 3*s.* per Pound by the Half Dozen. And RAPPEE, both plain and scented. Any Gentlemen, who have Occasion for any Quantities, may depend on being well served by *Their humble Servant*,

JOHN INCH.

To be SOLD by the Subscriber, in Annapolis,

A Brisk likely Country-born Negro Wench, about 18 or 19 Years of Age, who is a good Spinner; with a Child, about 18 Months old. WILLIAM REYNOLDS.

Very good Nutmegs, by the Pound, or Ounce, to be Sold by the said *Reynolds*.

ABOUT the Year 1727, or 1728, one *Francis Main*, who was then a well-set Lad, about 14 Years of Age, had dark-brown Hair, and a Scar over one of his Eye-brows, came from *London* into this Province, as a Servant, in the Ship *Grove*, Capt. *Babb*, who loaded in *Bush* River.

Now if the said *Francis Main* be living, and will apply to *Jonas Green*, Printer, in *Annapolis*, he will hear of something greatly to his Advantage: And if he is indebted to any Person in this Province, he will hear of a Friend who will extricate him from any Difficulties of that Kind, let his Debts be what they will.

To be SOLD,

AT the Subscriber's Store in *Annapolis*, on Wednesday the 11th Day of *May* instant, a likely Negro Man, and a Country-born Negro Boy, to the highest Bidder; for current Money. The Sale to be at 4 o'Clock in the Afternoon.

JAMES DICK.

TO BE SOLD,

BY the Subscribers, on Wednesday the 18th Day of *May* inst. for ready Sterling Cash, or good Bills of Exchange, a Tract of Land lying at the Head of *South River*, in *Anne-Arundel* County, called *What you will*, containing 375 Acres; and a good Title made to the Purchaser.

WILLIAM CHAPMAN, *junior*,
RICHARD BURDUS.

GOLD for Bills of Exchange. Enquire of the Printer.

April 9, 1748.

RUN away from the Subscriber, near *Patuxent* Iron Works, an *English* Convict Servant Woman, named *Elizabeth Edwards*, alias *Ridding*, alias *Key*; she is about 20 years of Age, full faced, and very much Pock-fretten. She had with her the following Cloaths; *viz.* a Calico Gown; a Red Plad Gown; a Pair of Stays; a Callamanco Coat, with a dark Camblet Border; red Morocco Shoes, with white heels; and a Straw Hat.

Whoever secures the said Woman, so as her Master may have her again, shall have Twenty Shillings Reward, besides what the Law allows.

JOHN DAVIS.

RUN away from the Subscriber, living near *Bladensburg*, in *Prince-George's* County, on the 15th of *April*, a Servant Man named *Benjamin Crampton*, of very low Stature, and wears his own brown Hair, says he was born on the Eastern Shore, and pretends to something of Shoemaking: He had with him a light-colour'd Broad-Cloth Coat, one Ditto of a darkish Colour, a Linnen Waistcoat, without Sleeves, one white Shirt, one brown Ditto, Leather Breeches, a Pair of Trowsers, white Stockings, turn'd Pumps, and an old Castor Hat.

Whoever takes up the said Servant and will bring him to his Master, shall have Three Hundred Pounds of Tobacco, besides what the Law allows; or, if taken at any great Distance, not only the above Reward, but all reasonable Charges.

THOMAS HARRIS.

MR. *Thomas Harrison*, Merchant, late of *Baltimore* County now gone to *England*, having left with me the Subscriber, a Power of Attorney, to act for him in his Absence: These are therefore to desire all Persons indebted to the said *Thomas Harrison*, to come immediately and Discharge their respective Debts, which will prevent further Trouble and Charge.

JAMES WALKER.

TO be Sold on board the Ship *Sandwich*, *James Cawly* Commander, lying in the North-West Branch of *Patapsco* River, a Parcel of white large-grain Salt, at the following Prices, delivered on board; *viz.* 500 Bushels together, at 18*d.* Sterling, or 3*s.* Currency, per Bushel; 100 Bushels, at 20*d.* Sterling, or 3*s.* 4*d.* Currency, per Bushel; any Quantity less than 100, at 2*s.* Sterling, or 4*s.* Currency, per Bushel. Any Person inclinable to purchase, may apply to the Captain on board the said Ship, or to the Subscriber in *Baltimore-Town*.

DARBY LUX.

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